

UNITED STATE DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT
SEATTLE

JORDAN EL-TAHEL,

Plaintiff,

VS.

WHATCOM COUNTY, a governmental entity,
WHATCOM COUNTY SHERIFF'S
DEPARTMENT, BILL ELFO and ADAM
MILLER, and the marital community

Defendant.

) Case No.: 2:20-CV-01830-JCC
)
) **DEFENDANT MILLER'S ANSWER**
) **TO COMPLAINT**

TO: JORDAN EL-TAHEL

AND TO: EMILY BESCHEN AND ROBERT BUTLER, BUTLER BESCHEN LAW PLLC, E.
Holly St. Suite 512, Bellingham WA 98225, attorneys for Plaintiff

AND TO: GEORGE ROCHE, Whatcom County Prosecuting Attorney 311 Grand Ave Suite
201, Bellingham WA 98225, attorney for Whatcom County, Whatcom County Sheriff's Office
and Bill Elfo

COMES NOW, Adam Miller by and through the Law Office of Douglas Wilson, hereby answers Plaintiff's Complaint:

1. Admit

ANSWER TO COMPLAINT 2:20-CV-01830 - 1

LAW OFFICE OF DOUGLAS E. WILSON
Douglas E. Wilson
P.O. Box 15631
Seattle WA 98115
(206) 338-7806

- 1 2. Admit
- 2 3. Defendant Miller is without sufficient information to admit or deny and therefor denies
- 3 the same.
- 4 4. Defendant Miller admits that he was employed by Whatcom County between February
- 5 27, 2017 and February 20, 2019.
- 6 5. Admit
- 7 6. Admit
- 8 7. Defendant Miller admits that he was employed by Whatcom County between February
- 9 27, 2017 and February 20, 2019.
- 10 8. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
- 11 neither admits nor denies.
- 12 9. Allegation is directed to Defendant Whatcom County and calls for a legal conclusion.
- 13 10. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
- 14 neither admits nor denies.
- 15 11. Defendant Miller admits that Plaintiff returned to custody in the fall of 2018 while he was
- 16 working at the facility. The remainder is denied.
- 17 12. Miller denies that he had complete control over the Plaintiff. Defendant Miller asserts
- 18 his rights under the 5th Amendment to the U.S. Constitution and neither admits nor denies
- 19 the remaining allegations
- 20 13. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
- 21 neither admits nor denies.
- 22 14. Allegations are directed to the County. The extent allegations are directed to Defendant
- 23 Miller, Defendant Miller
- 24
- 25

1 15. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
2 neither admits nor denies.

3 16. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
4 neither admits nor denies.

5 17. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
6 neither admits nor denies.

7 18. Allegations are directed to employees of Whatcom County and not Defendant Miller. To
8 the extent there are allegations against Defendant Miller, Defendant Miller asserts his
9 rights under the 5th Amendment to the U.S. Constitution and neither admits nor denies..
10

11 19. Allegations are directed to Defendant Whatcom County and not Defendant Miller. To
12 the extent there are allegations against Defendant Miller, Defendant Miller asserts his
13 rights under the 5th Amendment to the U.S. Constitution and neither admits nor denies.

14 20. Allegations are directed to Defendant, Whatcom County and not Defendant, Miller. To
15 the extent there are allegations against Defendant Miller, Defendant Miller asserts his
16 rights under the 5th Amendment to the U.S. Constitution and neither admits nor denies.

17 21. Allegations are directed to Defendant, Whatcom County and not Defendant, Miller. To
18 the extent there are allegations against Defendant Miller, Defendant Miller asserts his
19 rights under the 5th Amendment to the U.S. Constitution and neither admits nor denies.
20

21 22. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
22 neither admits nor denies.

23 23. Paragraph 23 does not require an admissions or a denial.
24
25

1 24. Allegations are directed to Defendant, Whatcom County and not Defendant, Miller. To
2 the extent there are allegations against Defendant, Miller, Mr. Miller asserts his rights
3 under the 5th Amendment to the United States Constitution.

4 25. Paragraph 25 does not require an admissions or a denial.

5 26. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
6 neither admits nor denies.

7 27. Paragraph 27 does not require an admissions or a denial.

8 28. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
9 neither admits nor denies.

10 29. Paragraph 29 does not require an admissions or a denial.

11 30. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
12 neither admits nor denies.

13 31. Paragraph 31 does not require an admissions or a denial.

14 32. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
15 neither admits nor denies.

16 33. Paragraph 33 does not require an admissions or a denial.

17 34. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
18 neither admits nor denies.

19 35. Paragraph 35 does not require an admissions or a denial.

20 36. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
21 neither admits nor denies.

22 37. Paragraph 37 does not require an admissions or a denial.

1 38. Defendant Miller asserts his rights under the 5th Amendment to the U.S. Constitution and
2 neither admits nor denies.

3 AFFIRMATIVE DEFENSES

- 4 1. Failure to state a claim upon which relief can be granted
5 2. Third-parties over who Defendant, Miller had no control are liable for the Plaintiff's
6 alleged damages.
7 3. Failure to mitigate damages
8 4. Defendant, Miller has qualified immunity for some of the allegations against him.
9 Defendant, Miller reserves the right to amend this Answer following the resolution of
10 criminal charges against him. He further reserves the right to amend this Answer to
11 include additional affirmative Defenses.
12

13 RELIEF REQUESTED

14 Defendant, Miller respectfully request the action be dismissed with prejudice.

15 Dated February 19th, 2021.

16 THE LAW OFFICE OF DOUGLAS E. WILSON

17 /s Douglas Wilson
18 Douglas E. Wilson, WSBA #21206
19 Attorney for Defendant Adam Miller
20 P.O. Box 15631
21 Seattle, WA 98115
22 206-338-7806
23 Wilsondouglaw@msn.com
24
25